

medium or a network and that uses the received digital data by employing use permission data, wherein the apparatus has a memory device in which use history information of the digital data has been stored, and an accumulation of uses of the digital data is monitored by the use history information and a transfer of the use history information is induced when the accumulation of uses reaches a preset value.--

IN THE CLAIMS

Please amend claims 1-64 by rewriting same to read as follows:

--1. (Amended) A digital data processing apparatus for receiving digital data having a use charged for through one of a data recording medium and a network and for using the received digital data by employing use permission data, comprising:

memory means in which use history information of the digital data has been stored,

wherein an accumulation of uses of the digital data is represented by the use history information and a transfer of the use history information is induced when the accumulation of uses reaches a preset value.

--2. (Amended) The digital data processing apparatus according to claim 1, wherein after the transfer is induced one of the use of and an operation of the use permission data is disabled during the transfer of the use history information.

--3. (Amended) The digital data processing apparatus according to claim 2, wherein the digital data are one of audio data, video data, still image data, character data, computer graphics data, game software, and a computer program.

--4. (Amended) A digital data processing apparatus for receiving digital data having a use charged for through one of a data recording medium and a network and for using the received digital data by employing use permission data, comprising:

memory means in which use history information of the digital data has been stored; and

communicating means for communicating with a settlement center,

wherein an accumulation of uses of the digital data is represented by the use history information and the use history information is automatically transferred to the settlement center through the communicating means when the accumulation of uses reaches a preset value.

--5. (Amended) The digital data processing apparatus according to claim 4, wherein the digital data are one of audio data, video data, still image data, character data, computer graphics data, game software, and a computer program.

--6. (Amended) A digital data processing apparatus for receiving digital data having a use charged for through one of a data recording medium and a network and for using the received digital data by employing use permission data, comprising:

memory means in which use history information of the digital data has been stored,

wherein a transfer of the use history information is induced at a preset date.

--7. (Amended) The digital data processing apparatus according to claim 6, wherein after the transfer is induced one of the use of and an operation of the use data is disabled during the transfer of the use history information.

--8. (Amended) A digital data processing apparatus for receiving digital data having a use charged for through one of a data recording medium and a network and for using the received digital data by using use permission data, comprising:

memory means in which use history information of the digital data has been stored; and

communicating means for communicating with a settlement center,

wherein the use history information is automatically transferred through the communicating means to the settlement center at a preset date.

--9. (Amended) A digital data processing apparatus for receiving digital data having a use charged for through one of a data memory medium and a network and for using the received digital data by employing use permission data, comprising:

memory means in which use history information of the digital data has been stored; and

display means for displaying a use fee of one of a capacity of the memory means and a remaining amount of the capacity.

--10. (Amended) The digital data processing apparatus according to claim 9, wherein the digital data are one of audio data, video data, still image data, character data, computer graphics data, game software, and a computer program.

--11. (Amended) A digital data processing apparatus for receiving digital data having a use charged for through one of a data memory medium and a network, comprising:

memory means in which use history information of the digital data has been stored,

wherein an accumulation of uses of the digital data is represented by the use history information and the use of the digital data is inhibited when the accumulation of uses reaches a preset value.

--12. (Amended) The digital data processing apparatus according to claim 11, wherein the digital data are one of audio data, video data, still image data, character data, computer graphics data, game software, and a computer program.

--13. (Amended) A digital data processing method used for one of a medium and a network in which first digital data having one of decoding and reproduction that is charged for and second digital data having one of decoding and reproduction that is not charged for exist concurrently, comprising the steps of:

determining whether distributed digital data are one of the first and the second digital data when the distributed digital data are one of decoded, reproduced, and obtained; and

notifying that the one of decoding and reproduction is charged for when the determining step determines that the distributed digital data are the first digital data.

--14. (Amended) The digital data processing method according to claim 13, wherein the determination is made based on an identifier added to the first digital data.

--15. (Amended) The digital data processing method according to claim 13, wherein the determination is made one of before, simultaneously with, and after one of the decoding, the reproduction, and the obtaining.

--16. (Amended) The digital data processing method according to claim 13, wherein

an identifier indicating one of a presence and an absence of a charge and information of a fee have been added to the first digital data; and

when the distributed digital data are the first digital data a threshold value regarding whether the notification is performed is set for the fee.

--17. (Amended) The digital data processing method according to claim 16, wherein the notification is performed

one of visually, audibly, and by one of a presence and an absence of a vibration.

--18. (Amended) The digital data processing method according to claim 13, wherein the first and second digital data are one of audio data, video data, still image data, character data, computer graphics data, game software, and a computer program.

--19. (Amended) The digital data processing method according to claim 13, wherein the first and second digital data are distributed by using one of a satellite broadcast, a ground wave broadcast, an Internet, a cable television broadcast, a cellular phone, a PHS, and a package media.

--20. (Amended) A digital data processing method which is used for one of a medium and a network in which first digital data having one of a signal and a reproduction charged for and second digital data having one of a decoding and a reproduction not charged for exist concurrently, comprising the steps of:

determining whether distributed digital data is one of the first and the second digital data when the distributed digital data are one of decoded, reproduced, and obtained; and

inhibiting one of the decoding, the reproduction, and the obtaining of the first digital data.

--21. (Amended) The digital data processing method according to claim 20, wherein the determination is made based on an identifier added to the first digital data.

--22. (Amended) The digital data processing method according to claim 20, wherein the determination is made one of before, simultaneously with, and after one of the decoding, the reproduction, and the obtaining.

--23. (Amended) The digital data processing method according to claim 20, wherein

an identifier indicating one of a presence and an absence of a charge and information of a fee have been added to the first digital data; and

when the distributed digital data is the first digital data a threshold value regarding whether the notification is performed is set for the fee.

--24. (Amended) The digital data processing method according to claim 20, wherein the notification is performed one of visually, audibly, and by one of a presence and an absence of a vibration.

--25. (Amended) The digital data processing method according to claim 20, wherein the first and second digital data are one of audio data, video data, still image data, character data, computer graphics data, game software, and a computer program.

--26. (Amended) The digital data processing method according to claim 20, wherein the first and second digital data are distributed by using one of a satellite broadcast, a ground wave broadcast, an Internet, a cable television broadcast, a cellular phone, a PHS, and package media.

--27. (Amended) A digital data processing method used for one of a medium and a network in which first digital data having one of decoding and reproduction charged for and second digital data having one of decoding and reproduction not charged for exist concurrently, comprising the steps of:

determining whether distributed digital data are one of the first and the second digital data when the distributed digital data are one of decoded, reproduced, and obtained; and

notifying that the one of decoding and reproduction is charged for and inhibiting the one of decoding, reproduction, and obtaining of the first digital data when the determining step determines that the distributed digital data are the first digital data.

--28. (Amended) The digital data processing method according to claim 27, wherein the determination is made based on an identifier added to the first digital data.

--29. (Amended) The digital data processing method according to claim 27, wherein the determination is made one of before, simultaneously with, and after the one of decoding, reproduction, and obtaining.

--30. (Amended) The digital data processing method according to claim 27, wherein

an identifier indicating one of a presence and an absence of a charge and information of a fee have been added to the first digital data; and

when the added digital data are the first digital data a threshold value regarding whether the notification is performed is set for the fee.

--31. (Amended) The digital data processing method according to claim 27, wherein the notification is performed one of visually, audibly, and by one of a presence and an absence of a vibration.

--32. (Amended) The digital data processing method according to claim 27, wherein the first and second digital data are one of audio data, video data, still image data, character data, computer graphics data, game software, and a computer program.

--33. (Amended) The digital data processing method according to claim 27, wherein the first and second digital data are distributed by using one of a satellite broadcast, a ground wave broadcast, an Internet, a cable television broadcast, a cellular phone, a PHS, and package media.

--34. (Amended) A digital data processing apparatus used for one of a medium and a network in which first digital data having one of a decoding and a reproduction charged for and second digital data having a distribution charged for and whose one of decoding and reproduction is not charged for exist concurrently, comprising:

determining means for determining whether distributed digital data are one of the first and the second digital data when the distributed data are one of decoded, reproduced, and obtained; and

notifying means for notifying that the one of decoding and reproduction is charged for when the determining means

determines that the distributed digital data are the first digital data.

--35. (Amended) A digital data processing apparatus used for one of a medium and a network in which first digital data having one of decoding and reproduction charged for and second digital data having one of decoding and reproduction is not charged for exist concurrently, comprising:

determining means for determining whether distributed digital data are one of the first and the second digital data when the distributed digital data are one of decoded, reproduced, and obtained; and

inhibiting means for inhibiting one of the decoding, the reproduction, and the obtaining of the first digital data when the determining means determines that the distributed digital data are the first digital data.

--36. (Amended) The digital data processing apparatus according to claim 35, wherein

an identifier indicating one of a presence and an absence of a charge and information of a fee have been added to the first digital data; and

when the distributed digital data are the first digital data a threshold value for the fee is set and when the fee is one of equal to and larger than a predetermined value one of

the decoding, the reproduction, and the obtaining of the first digital data is inhibited.

--37. (Amended) The digital data processing apparatus according to claim 35, further comprising selecting means for selecting one of a mode to validate a function for inhibiting one of the decoding, the reproduction, and the obtaining of the first digital data and a mode to invalidate the function.

--38. (Amended) A digital data processing apparatus used for one of a medium and a network in which first digital data having one of decoding and reproduction charged for and second digital data having one of decoding or reproduction not charged for exist concurrently, comprising:

determining means for determining whether the distributed digital data are one of the first and the second digital data; and

notifying means for notifying that one of the decoding and the reproduction is charged for and for inhibiting one of the decoding, the reproduction, and the obtaining of the first digital data.

--39. (Amended) The digital data processing apparatus according to claim 38, wherein

an identifier indicating one of a presence and an absence of a charge and information of a fee have been added to the first digital data; and

when the distributed digital data are the first digital data a threshold value for the fee is set and when the fee is one of equal to and larger than a predetermined value one of the decoding, the reproduction, and the obtaining of the first digital data is inhibited.

--40. (Amended) The digital data processing apparatus according to claim 38, further comprising selecting means for selecting one of a mode to validate a function for inhibiting one of the decoding, the reproduction, and the obtaining of the first digital data and a mode to invalidate the function.

--41. (Amended) A data reproducing terminal apparatus comprising:

a signal processing unit for performing a signal process necessary for reproduction of content data read from a medium in which a plurality of content data to which an encrypting process and a compressing process have been executed are recorded;

a memory unit in which reproduction history data of the content data to which the process has been performed by the signal processing unit are written; and

a control unit for inducing a transfer of the reproduction history data stored in the memory unit to an exterior element when the reproduction history data written in the memory unit reach a predetermined value.

--42. (Amended) The data reproducing terminal apparatus according to claim 41, further comprising a display unit, wherein when the reproduction history data written in the memory unit reach the predetermined value a message for inducing the transfer of the reproduction history data stored in the memory unit to the exterior element is displayed on the display unit by the control unit.

--43. (Amended) The data reproducing terminal apparatus according to claim 41, wherein the control unit inhibits the signal process by the signal processing unit until the transfer of the reproduction history data is finished.

--44. (Amended) The data reproducing terminal apparatus according to claim 41, further comprising a communicating unit for transferring the reproduction history data stored in the memory unit to the exterior element.

--45. A data processing terminal apparatus comprising:

a memory unit in which reproduction history data transferred from a reproducing unit for performing a reproducing process of content data read from a medium in which a plurality of content data to which an encrypting process and a compressing process have been executed is recorded are written; and

a control unit for inducing a transfer of the reproduction history data stored in the memory unit to an exterior element when the reproduction history data written in the memory unit reach a predetermined value.

--46. (Amended) The data processing terminal apparatus according to claim 45, wherein when data regarding an electronic monitoring permission that is transferred to the reproducing unit and is necessary when the content data are reproduced by the reproducing unit are received from the exterior element the control unit transfers the reproduction history data stored in the memory unit.

--47. (Amended) The data processing terminal apparatus according to claim 46, further comprising a communicating unit for transferring the reproduction history data stored in the memory unit to the exterior element and for transmitting the data regarding the electronic monitoring permission to the reproducing unit.

--48. (Amended) The data processing terminal apparatus according to claim 45, further comprising a display unit, wherein when the reproduction history data written in the memory unit reach the predetermined value a message for inducing the transfer of the reproduction history data to the exterior element is displayed on the display unit by the control unit.

--49. (Amended) The data processing terminal apparatus according to claim 48, further comprising a second display unit, wherein a use situation of the memory unit is displayed on the second display unit by the control unit.

--50. (Amended) The data processing terminal apparatus according to claim 49, further comprising a warning display unit for displaying that the reproduction history data written in the memory unit have reached the predetermined value.

--51. (Amended) The data processing terminal apparatus according to claim 45, wherein the control unit inhibits the writing of the reproduction history information from the reproducing unit into the memory unit until the transfer of the reproduction history data stored in the memory unit to the exterior element is finished.

--52. (Amended) The data processing terminal apparatus according to claim 45, wherein the control unit transfers the reproduction history data to the exterior element at a preset date.

--53. (Amended) A data reproducing terminal apparatus comprising:

a signal processing unit for performing a signal process necessary for reproduction of content data read from a medium in which a plurality of content data to which an encrypting process and a compressing process have been executed and subordinate data associated with each of the plurality of content data are recorded;

notifying means for notifying whether the content data read from the medium require a charging process upon reproduction; and

a control unit for determining whether the charging process is necessary upon reproduction of the content data read from the medium when the signal process is executed by the signal processing unit and driving the notifying means when the charging process is necessary upon reproduction of the content data read from the medium as a result of the determination.

--54. (Amended) The data reproducing terminal apparatus according to claim 53, wherein when a result of the determination indicates that the content data read from the medium do not require the charging process upon reproduction the control unit starts the reproduction of the content data read from the medium.

--55. (Amended) The data reproducing terminal apparatus according to claim 53, wherein said control unit determines whether the content data read from the medium require the charging process upon reproduction based on the subordinate data of the content data.

--56. (Amended) The data reproducing terminal apparatus according to claim 55, wherein the control unit: notifies that the content data read from the medium require the charging process upon reproduction by driving the notifying means; executes the charging process based on the subordinate data; and reproduces the content data read from the medium.

--57. (Amended) The data reproducing terminal apparatus according to claim 53, wherein the notifying means is constructed by a display unit and a message displaying that the content data read from the medium require the charging

process upon reproduction is displayed on the display unit by the control unit.

--58. (Amended) The data reproducing terminal apparatus according to claim 57, wherein the display unit is a charge display unit for displaying that the content data read from the medium and requiring the charging process upon reproduction are being reproduced.

--59. (Amended) The data reproducing terminal apparatus according to claim 53, further comprising an operation unit for performing an operation to inhibit the reproduction of the content data when the content data read from the medium require the charging process upon reproduction.

--60. (Amended) The data reproducing terminal apparatus according to claim 59, wherein when the operation to inhibit the reproduction of the content data when the content data read from the medium require the charging process upon reproduction is released by the operation unit the reproduction is enabled irrespective of whether the content data read from said medium require the charging process upon reproduction.

--61. (Amended) A terminal apparatus comprising:

a memory unit in which a plurality of downloaded content data to which an encrypting process and a compressing process have been executed and subordinate data associated with each of the plurality of content data are stored;

a signal processing unit for performing a signal process necessary for reproduction to the content data read from the memory unit;

notifying means for notifying whether the content data read from the memory unit require a charging process upon reproduction; and

a control unit for determining whether the content data read from the memory unit require the charging process upon reproduction when the signal process is executed by the signal processing unit and driving the notifying means when the charging process is required upon reproduction of the content data read from the memory unit as a result of the determination.

--62. (Amended) The terminal apparatus according to claim 61, wherein the notifying means has a display unit and a message regarding titles of a plurality of content data that can be downloaded into the terminal apparatus and a mark displaying whether the charging process is required upon reproduction are displayed on the display unit.

--63. (Amended) The terminal apparatus according to claim 61, further comprising a mode change-over operation unit, wherein the control unit downloads content data that satisfy conditions set by the mode change-over unit.

--64. (Amended) The terminal apparatus according to claim 63, wherein the control unit downloads the content data that satisfy the conditions set by the mode change-over unit based on the subordinate data of the content data.--

REMARKS

Claims 1-64 remain in the application and have been amended hereby.

As will be noted from the Declaration, Applicants are citizens and residents of Japan and this application originated there.

Accordingly, the amendments to the specification are made to place the application in idiomatic English, and the claims are amended to place them in better condition for examination.

An early and favorable examination on the merits is earnestly solicited.

Respectfully submitted,
COOPER & DUNHAM, LLP



Jay H. Maioli
Reg. No. 27,213

JHM/AVF/pmc